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United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law

United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law

Report of the Secretary-General

Summary

The present report is submitted pursuant to General Assembly resolution 65/25. It covers the implementation of the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law during 2011 and provides guidelines and recommendations for the execution of the Programme of Assistance in the biennium 2012-2013.

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I. Introduction

1. By its resolution 65/25, the General Assembly reiterated its authorization for the Secretary-General to carry out, in 2011, the activities specified in his report on the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law (A/64/495), submitted at its sixty-fourth session. In paragraph 21 of the same resolution, the Assembly requested the Secretary-General to report to it at its sixty-sixth session on the implementation of the Programme of Assistance during 2011.

2. The present report covers the implementation of the Programme of Assistance in 2011 in accordance with the guidelines and recommendations contained in the report of the Secretary-General to the General Assembly at its sixty-fourth session. It gives an account of the activities carried out under the Programme by the Office of Legal Affairs.

II. Implementation of the Programme of Assistance during 2011

A. Office of Legal Affairs

3. The activities of the Office of Legal Affairs are reflected in the relevant web page on international law (http://www.un.org/law). The websites of the Office referred to in the present report, as listed in the annex, may be accessed through that web page.

4. As in previous years, the Office of Legal Affairs received and assigned interns and externs to participate in the work of its divisions. The Office selects the individuals for these positions, arranges for the duration and type of their training and assigns them to projects, taking into account the needs of the Office as well as their particular interests and qualifications. The Codification Division of the Office also received and assigned postgraduate research assistants to participate in its work. Furthermore, the Codification Division cooperates with academic institutions in the preparation of studies of the *Repertory of Practice of United Nations Organs*. Interns, externs and research assistants bear all their own financial expenses.

1. Codification Division

Activities

5. The Codification Division is responsible for the implementation of the Programme of Assistance. The Division performs various functions, such as preparing reports of the Secretary-General and providing services to the Advisory Committee and the Sixth Committee on the related agenda item. It also maintains the website on the Programme of Assistance.

International Law Fellowship Programme

6. The International Law Fellowship Programme provides the most comprehensive international law training for lawyers from developing countries and countries with emerging economies under the Programme of Assistance. The fellows attend courses at The Hague Academy of International Law and special seminars

organized by the Codification Division, which cover a broad range of subjects relating to international law. Study visits are also arranged for the participants.

7. The International Law Fellowship Programme was held in The Hague from 4 July to 12 August 2011.[1] A total of 20 fellows (9 men and 11 women) as well as two self-funded participants (women) were selected for the Programme.[2]

8. The Hague Academy lectures included: "On what conditions is it possible for international law to be universal?" (M. Chemillier-Gendreau, Professor Emeritus, University of Paris VII); "Protecting general interests in the international community" (general course) (G. Gaja, Professor, University of Florence); "Developments in United Nations peacekeeping operations" (J. Cardona Lorens, Professor, University of Valencia); "State secession" (J. Dugard, Professor, University of Pretoria); "Interpretation of international law: theoretical and philosophical aspects" (D. Alland, Professor, University of Paris II); "Contemporary Chinese perspectives on international law" (H. Xue, Judge, International Court of Justice); "Influence of the multiplication of international courts and tribunals on the application of international law" (M. Iovane, Professor, University of Naples "Federico II"); and "United Nations High Commissioner for Human Rights and universality of human rights" (Z. Kedzia, Professor, Adam Mickiewicz University).

9. The special seminars organized by the Codification Division included: "Introduction to international law" and "Treaty law" (O. Corten, Professor, Université libre de Bruxelles); "State jurisdiction" (C. Greenwood, Judge, International Court of Justice); "State responsibility" and "Peaceful settlement of disputes" (K. Keith, Judge, International Court of Justice); "Codification and progressive development of international law" (Pierre Bodeau-Livinec, Professor, University of Paris VIII); "International environmental law" (L. Boisson de Chazournes, Professor, University of Geneva); "Law of the sea" (T. Treves, Judge, International Tribunal for the Law of the Sea, and Professor, University of Milan); "Rules of international law governing the use of force" and "The right to self-determination in international law" (A. Yusuf, Judge, International Court of Justice); "International criminal law" (R. O'Keefe, Deputy Director of the Lauterpacht Centre for International Law and Senior Lecturer in Law, University of Cambridge); "International trade law" (D. McRae, member of the International Law Commission and Hyman Solowav Professor, University of Ottawa); "International human rights law" (B. Ramcharan, former United Nations High Commissioner for Human Rights ad interim (2003-2004) and former Professor and Swiss Chair of International Human Rights Law at the Graduate Institute of International Studies, Geneva); "International humanitarian law" (T. Graditzky, International Committee of the Red Cross); "International organizations" and "Peacekeeping in international law" (M. M. Mbengue, Lecturer, University of Geneva); "Movement of persons" (S. Wolfson, Office of the United Nations High

[1] The Fellowship Programme was conducted in English in 2011 and will be conducted in French in 2012.

[2] A total of 322 applications were received from 106 Member States. Nineteen fellows were selected, from the following Member States: Albania, Botswana, Cambodia, China, Costa Rica, Dominican Republic, Egypt, Eritrea, Ethiopia, Grenada, Guatemala, India, Kenya, Nepal, Nigeria, Philippines, Uganda, United Republic of Tanzania and Vanuatu. In addition, one fellowship was awarded, to a candidate from Palestine. The two self-funded participants were selected from the Bolivarian Republic of Venezuela and the African Union. (Unfortunately, one participant failed to attend the Programme or to notify the Codification Division in time to enable a reserve candidate to participate.)

Commissioner for Refugees); and "Diplomatic and consular law" (E. Denza, former professor, University College, London).

10. Study visits were arranged for the fellows to: the International Court of Justice, with briefings by the Registrar (P. Couvreur) and the Head of the Information Department, A. Poskakukhin; the Peace Palace Library, with briefings by reference librarians C. Alihusain and O. Spijkers; the International Criminal Court, with briefings by the Second Vice-President, H.-P. Kaul, the Prosecutor, L. Moreno-Ocampo, the Deputy Registrar, D. Preira, and the Director of the secretariat of the Assembly of States parties, R. Villacis; the Permanent Court of Arbitration, with a briefing by the Legal Counsel, E. Triantafilou; and the Organization for the Prohibition of Chemical Weapons, with a briefing by the Legal Adviser, S. O. Laborde. In addition, the Secretary-General of The Hague Academy of International Law, Y. Daudet, met with the fellows.

11. The Codification Division researched and collected legal materials recommended by the lecturers for the courses. The Division utilized its desktop publishing programme for the technical preparation of eight volumes of training materials in hard copy. Furthermore, CD-ROMs were provided to facilitate electronic research for participants in developing countries.

12. The General Assembly reiterated its authorization for the Secretary-General to award a number of fellowships to be determined in the light of the overall resources for the Programme of Assistance and to be awarded to qualified candidates from developing countries, nominated by Governments or academic or other institutions, to attend the International Law Fellowship Programme in 2011 in accordance with paragraph 1 (a) of resolution 65/25.

13. Since 2010, the Codification Division has conducted the Fellowship Programme in The Hague as a necessary cost-saving measure to increase the number of fellowships (see A/65/514, para. 12). As a result, the funds provided by the regular budget were sufficient to award 19 fellowships in 2010 and 19 fellowships in 2011, compared with 12 in 2009. The Division will continue to perform all tasks related to the organization and administration of the Fellowship Programme as long as it has the necessary resources.

14. In order to achieve further cost savings, the Codification Division invited universities, institutions and organizations, as well as individuals, to make voluntary contributions (financial and in kind) and otherwise to assist in the implementation of the Fellowship Programme in accordance with paragraph 18 of resolution 65/25. The Registry of the International Court of Justice provided offices and related equipment as well as essential administrative and logistical support for the Programme. The Hague Academy of International Law provided a reduced tuition rate for the fellows. The Carnegie Foundation provided a seminar room as well as offices and related equipment for staff of the Codification Division and lecturers. The International Committee of the Red Cross and the Office of the United Nations High Commissioner for Refugees assumed all costs related to the participation of

their lecturers in the Programme. Finally, various publishers and law journals granted permission to include scholarly articles free of charge in the study materials prepared for the participants in the Fellowship Programme.[3]

Regional courses in international law

15. The Codification Division is also responsible for organizing regional courses in international law. These courses provide high-quality training by leading scholars and practitioners on a broad range of core subjects of international law, as well as specific subjects of particular interest to developing countries in a given region. The courses provide an important mechanism for expanding the international law training opportunities available to young lawyers from developing countries under the Programme of Assistance, given the limited number of participants who can be accommodated in the International Law Fellowship Programme. The courses also provide participants with an opportunity to focus on contemporary issues of international law of common concern in the region, with a view to promoting greater understanding and cooperation on such issues.

16. For the first time in 10 years, a regional course in international law was organized for lawyers from countries in Africa. The course was held in Addis Ababa from 7 to 25 February 2011.[4] The United Nations Economic Commission for Africa (ECA) provided a seminar room, offices, equipment and administrative assistance for staff of the Codification Division and lecturers. The African Union made a voluntary

[3] The Codification Division wishes to express its appreciation to the authors (L. Bartels, D. Bodansky, L. Boisson de Chazournes, I. Brownlie, A. Carty, B. S. Chimni, T. Christakis, W. Davey, C. de Visscher, K. Del Mar, E. Duruigbo, R. Falk, A. Farmer, T. Franck, T. Gazzini, R. Goldman, C. Gray, C. Heyns, K. Hnatt, J. Jackson, K. Keith, M. Killander, J. Klabbers, M. Kohen, R. Lukes, M. M. Mbengue, D. McKeever, D. McRae, M. Mutua, R. O'Keefe, N. Ochoa-Ruiz, J. Oloka-Onyango, B. Ramcharan, N. Ronzitti, E. Salamanca-Aguado, R. Steinberg, A. Sykes, C. Tams, the Stanley Foundation, T. Treves, M. Weller, B. Weston, R. Wilde, E. Wilmshurst and M. Wood), journals (*American Journal of International Law*, *American University International Law Review*, *Australian Yearbook of International Law*, *Berkeley Journal of International Law*, *Chinese Journal of International Law*, *European Journal of International Law*, *Fordham International Law Journal*, *George Washington International Law Review*, *Human Rights Quarterly*, *Journal of Conflict and Security Law*, *Journal of International Criminal Justice*, *Journal of International Economic Law*, *Journal of World Trade*, *Leiden Journal of International Law*, *Michigan Journal of International Law*, *New York University Journal of International Law and Politics*, *New Zealand Yearbook of International Law*, *Nordic Journal of International Law*, *Recueil des cours*, *Singapore Yearbook of International Law*, *Third World Legal Studies*, *UCL Human Rights Review*, *University of Chicago Law and Economics Working Paper Series* and *Vanderbilt Journal of Transnational Law*) and publishers (American Society of International Law; Arizona State University: Sandra Day O'Connor College of Law; Australian National University, Faculty of Law, Centre for International and Public Law; Berkeley Law, University of California, Berkeley; Brill Academic Publishers; Cambridge University Press; Chatham House; Johns Hopkins University Press; Martinus Nijhoff Publishers; National University of Singapore; Oxford University Press; Pedone/Hart Publishing Ltd.; United Nations Educational, Scientific and Cultural Organization; University of Canterbury, School of Law; Valparaiso University School of Law; Wolters Kluwer Law and Business) for the use of scholarly writings for academic purposes as part of the study materials for the Fellowship Programme.

[4] The regional course was conducted in English.

contribution of $20,000. A total of 32 participants (18 men and 14 women) attended the course.[5]

17. The seminars for this regional course included: "Introduction to international law", "State responsibility" and "Peaceful settlement of disputes" (S. McCaffrey, former member of the International Law Commission and Professor, McGeorge School of Law); "International humanitarian law" (U. Kadam, International Committee of the Red Cross); "International trade law" (M. M. Mbengue, Lecturer, Faculty of Law, University of Geneva); "International criminal law" (S. H. Song, President, International Criminal Court); "Law of the sea" (T. Treves, Judge, International Tribunal for the Law of the Sea, and Professor, University of Milan); "International human rights law" (B. Ramcharan, former United Nations High Commissioner for Human Rights ad interim (2003-2004) and former Professor and Swiss Chair of International Human Rights Law at the Graduate Institute of International Studies, Geneva); "Refugee law" (M. J. Medina and S. Panchoe, Office of the United Nations High Commissioner for Refugees); "The importance of international law in Africa in the twenty-first century" and "The use of force" (A. A. Yusuf, Judge, International Court of Justice), and "International environmental law" (E. Brown Weiss, Francis Cabell Brown Professor of International Law, Georgetown University Law Centre, and former Chair, World Bank Inspection Panel). The fellows also attended briefings on "The work of the Sixth Committee of the General Assembly" (R. Nega, Vice-Chair of the Sixth Committee at the sixty-fifth session of the General Assembly); "Codification and progressive development of international law" (V. Morris, Principal Legal Officer, Codification Division, Office of Legal Affairs); and "Researching international law" (H. Abdel Ghany, Associate Legal Officer, Codification Division, Office of Legal Affairs).

18. A study visit was organized to the African Union, which included the following lectures by Union officials: "The African Union in a nutshell" (B. Kioko, Legal Counsel); "The African human and peoples' rights system" (H. S. Salah, human rights expert); and "The African peace and security architecture" (A. M. Kambudzi, Secretary of the Peace and Security Council).

19. The Codification Division researched and collected legal materials recommended by the lecturers for the courses. The Division utilized its desktop publishing programme for the technical preparation of three volumes of training materials in hard copy. In addition, CD-ROMs were provided to facilitate electronic research for participants in developing countries.

20. Despite the increasing demand for international law training, it has not been possible to organize regional courses on a regular basis owing to a lack of financial resources and in the absence of a Member State available to serve as host country in accordance with United Nations procedures.

[5] A total of 79 applications were received from 32 African States Members of the United Nations. The 32 participants were selected from the following countries: Algeria, Botswana, Cameroon, Democratic Republic of the Congo, Egypt, Ethiopia, Gambia, Ghana, Lesotho, Liberia, Madagascar, Malawi, Mali, Mauritius, Namibia, Nigeria, Sierra Leone, South Africa, Sudan, Uganda, United Republic of Tanzania, Zambia and Zimbabwe. Participants from the African Union and the United Nations Office in Burundi also attended the course.

21. The Codification Division continues to consider options for revitalizing this important training activity, including the possibility of identifying suitable locations for organizing these courses on a regular basis in Africa, Asia, and Latin America and the Caribbean. The Government of Ethiopia has indicated its willingness to host regional courses, with the courses being conducted in English or French. The Division will conduct a regional course in international law at ECA in Addis Ababa from 6 February to 2 March 2012 (in French) if it receives the necessary funding. Only one voluntary contribution has been received to support the regional courses in response to the request of the Secretary-General transmitted to Member States on 8 April 2011 pursuant to General Assembly resolution 65/25 (see para. 57 below). The Government of Thailand has indicated its willingness to host a regional course in Asia in 2012. The Government of Mexico has expressed interest in hosting a regional course in Latin America and the Caribbean in 2013. The Hague Academy of International Law has expressed interest in expanding its traditional cooperation with the Codification Division with respect to the Fellowship Programme to include these regional courses.

United Nations Audiovisual Library of International Law

22. The United Nations Audiovisual Library of International Law was created by the Codification Division in response to the increasing demand for international law training, in terms of both the number of individuals requesting such training and the increasingly broad sectors of national society represented by the lawyers requesting such training. The Library gives the United Nations the capacity to provide high-quality training on a global scale at relatively low cost. Any individual or institution anywhere in the world may access the Library free of charge on the Internet. As part of its dissemination activities, the Codification Division made presentations of the Library at the African Union in Ethiopia, the Chinese Society of International Law and the Asian Society of International Law in China and the Peoples' Friendship University of Russia and the Russian Academy of Justice in the Russian Federation.[6] The Library has been accessed by users in 191 Member States.

23. The Library is a virtual training and research centre with almost 300 faculty members from various countries and various legal systems who contribute to its three pillars, namely, the lecture series, the historical archives and the research library.

24. The lecture series includes more than 220 lectures by eminent international law scholars and practitioners on a broad range of subjects relating to international law. The lectures are recorded in one of the official languages of the United Nations. Thirty-four lectures have been interpreted into the other official languages in order to expand the global audience. Most of the lecturers travel to United Nations Headquarters at their own expense to record their lectures. In some instances, recording sessions are organized at other locations to facilitate the participation of lecturers from various countries and legal systems who are unable to travel to

[6] Similar presentations have previously been made in China, Japan, Mexico, the Netherlands, South Africa, Sweden, Ukraine and the United States of America.

New York.[7] The Codification Division is responsible for the substantive and technical aspects of the lecture series, including: the development of content; practical arrangements with lecturers, interpreters and recording facilities; audio-visual recording, technical editing and conversion for web streaming of lectures and interpretations; and the storage and preservation of audio-visual materials.

25. The historical archives provide a multimedia resource for teaching, studying and researching significant legal instruments on a broad range of subjects relating to international law. The archives contain introductory notes by leading authorities on the legal instruments, as well as procedural histories, related documents and archival audio-visual materials prepared by the Codification Division. They also contain 50 legal instruments, covering the period from 1945 to 2007. Entries for an additional 50 instruments are currently being prepared. New archival audio-visual materials relating to existing entries have been made available. Additional archival audio-visual materials have been identified for preservation and digitization.

26. The Codification Division has succeeded in preserving, digitizing and disseminating extensive audio-visual materials relating to the negotiation and adoption of these legal instruments, which constitute a unique educational resource for promoting a better understanding of the role of the United Nations in the progressive development and codification of international law. Regrettably, it has not been possible to do so with all such materials, particularly those relating to the early years of the Organization.

27. The research library provides an extensive online library consisting of (a) treaties, (b) jurisprudence, (c) publications and documents, and (d) scholarly writings. The Codification Division continues to expand the various components of the research library by identifying relevant materials and obtaining permission, as necessary, for the inclusion of such materials, in particular scholarly writings by faculty members. William S. Hein and Company, proprietor of HeinOnline, continues to provide significant support to the library by digitizing and providing access to such scholarly writings through the research library free of charge. The Division has concluded a licensing agreement with Oxford University Press to include selected publications and parts thereof in the research library.

28. In addition, the Codification Division is currently working on the conversion into Flash format of all existing and forthcoming audio and video materials included in the Audiovisual Library in order to meet the new technological requirements of the Department of Public Information.

[7] These lectures have been recorded at: the United Nations Office at Geneva; the United Nations Educational, Scientific and Cultural Organization; the World Trade Organization; Georgetown University Law Centre, Washington, D.C.; the University of the Pacific, McGeorge School of Law, Sacramento; the Lauterpacht Centre for International Law, Cambridge; the City University of Hong Kong; the National University of Singapore; the Seoul National University; the United Nations University; the International Criminal Tribunal for the Former Yugoslavia; the International Criminal Court; the International Labour Organization; the Russian Academy of Justice, Moscow; and the Peace Palace. In addition, Columbia Law School, Yale Law School and the MacArthur Foundation have provided copies of recorded lectures or speeches to be included in the lecture series of the Audiovisual Library. The International Court of Justice has provided a documentary film on the Court, to be included in the historical archives of the Audiovisual Library.

29. As noted during the presentation of the pilot project for the Library in 2007 and repeatedly thereafter, this is a major undertaking that exceeds the existing resources of the Codification Division. The Division will continue to further develop the Library only if it receives the necessary funding. Four Member States (Austria ($7,270), the Czech Republic ($938), Norway ($35,680) and Thailand ($3,000)) have made voluntary contributions to support the Library in response to the request of the Secretary-General transmitted to Member States on 8 April 2011 pursuant to General Assembly resolution 65/25 (see para. 57 below).

Publications

30. The Codification Division is responsible for the substantive preparation of numerous legal publications. It has continued its desktop publishing programme, subject to the resources available, to expedite the issuance of some of those publications. The following publications have been issued since the previous report:

(a) *United Nations Juridical Yearbook*: the 2004 *Yearbook* (Arabic), the 2005 *Yearbook* (Chinese) and the 2006 *Yearbook* (French). The 2010 edition of the *Yearbook* (English) has been issued, together with a CD-ROM version thereof. The Codification Division is exploring the possibility, depending on the resources available, of preparing a special volume of the *Yearbook* containing legal opinions not previously included in the publication, which was first published in 1963;

(b) *Reports of International Arbitral Awards*: volume 29 has been submitted for printing, and volumes 30 and 31 are under preparation;

(c) *Repertory of Practice of United Nations Organs* and *Repertoire of the Practice of the Security Council*: the Secretariat has continued its efforts to reduce the backlog in these publications in accordance with General Assembly resolution 65/31. Their status is set out in the related report of the Secretary-General (A/66/201);

(d) *Yearbook of the International Law Commission*: the 2000 *Yearbook*, volume II (part I) (French and Spanish); the 2001 *Yearbook*, volume II (part I) (English, French, Russian and Spanish); the 2002 *Yearbook*, volume II (part I) (English, French and Spanish); the 2003 *Yearbook*, volume I (French) and volume II (part I) (English) and volume II (part II) (Arabic, English and French); and the 2004 *Yearbook*, volume I (English);

(e) *The Work of the International Law Commission*: all language versions of the seventh edition have been issued, and the eighth edition is in progress;

(f) *Summaries of Judgments, Advisory Opinions and Orders of the International Court of Justice*: the Chinese, French, Russian and Spanish versions of the third addendum, covering the period from 2003 to 2007, have been issued, and the Arabic version is under preparation. The Codification Division also provides advance electronic versions of the summaries of judgments, advisory opinions and orders delivered by the Court in all the official languages of the United Nations. This ensures the timely dissemination of information concerning the work of the Court and facilitates access to its latest jurisprudence, pending the publication of the fifth volume of the series (covering the period 2008-2012). In addition, the Division is exploring the possibility of providing similar summaries, in all official languages, of the judgments, advisory opinions and orders of the Permanent Court of

International Justice, in cooperation with the Registry of the International Court of Justice;

(g) *International Instruments related to the Prevention and Suppression of International Terrorism*: the Russian-language version of the third edition, prepared in collaboration with the United Nations Office on Drugs and Crime, was issued in 2011. The Chinese language version has been submitted for printing;

(h) *Legislative Series*: the Codification Division is exploring the possibility, depending on the resources available, of issuing a publication in this series relating to the responsibility of States for internationally wrongful acts, which would provide a consolidated compilation of decisions of international courts, tribunals and other bodies.[8]

Dissemination

31. In 1998, the Codification Division created its first website to expand the dissemination of international law materials around the world through the Internet free of charge. The Division currently maintains 21 websites, which are listed in the annex to the present report.

32. The dissemination of legal publications and information through the Internet, as well as other electronic media, is intended to supplement the limited numbers of hard copies, without prejudice to the unique value of printed materials for legal research and education, particularly in developing countries. These materials are provided free of charge on the Internet to promote the teaching, study, dissemination and wider appreciation of international law, in particular for lawyers in developing countries.

2. Division for Ocean Affairs and the Law of the Sea

Activities

33. Capacity-building activities in the area of ocean affairs and the law of the sea are considered under the agenda item entitled "Oceans and the law of the sea". Relevant information is provided in the report of the Secretary-General on the item (A/66/70 and Add.1 and Add.2).

Publications

34. During the period under review, the Division for Ocean Affairs and the Law of the Sea published the *Law of the Sea Bulletin*, Nos. 74 to 77, and the *Law of the Sea Information Circular*, Nos. 33 to 34.

Dissemination

35. The website of the Division provides information on almost all aspects of oceans and the law of the sea, including:

(a) The 1982 United Nations Convention on the Law of the Sea, the 1994 Agreement relating to the implementation of Part XI of the United Nations Convention on the Law of the Sea and the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December

[8] See A/62/62 and Add.1 and A/65/76.

1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks, including documentation related to the Meeting of States Parties to the 1982 United Nations Convention on the Law of the Sea, the informal consultations of States parties to the 1995 Fish Stocks Agreement and the Review Conference on the Fish Stocks Agreement;

(b) The Commission on the Limits of the Continental Shelf, the International Seabed Authority and the International Tribunal for the Law of the Sea;

(c) Dispute settlement issues, especially concerning the choice of procedure under article 287 of the 1982 Convention and declarations made under article 298, lists of arbitrators and conciliators and experts;

(d) The Ad Hoc Open-ended Informal Working Group to study issues relating to the conservation and sustainable use of marine biological diversity beyond areas of national jurisdiction;

(e) Texts of maritime boundary delimitation treaties and of national legislation concerning maritime zones;

(f) Capacity-building and training.

3. International Trade Law Division

Activities

36. Capacity-building activities in the area of international trade law are considered under the agenda item relating to the United Nations Commission on International Trade Law (UNCITRAL). Relevant information is provided in the report of UNCITRAL on its forty-fourth session (A/66/17) and in the note by the Secretariat on technical cooperation and assistance (A/CN.9/724).

Publications

37. During the period under review, the Division published *Case Law on UNCITRAL Texts* (CLOUT) abstracts Nos. 94 to 111; a CD-ROM containing the text of the UNCITRAL *Digest of Case Law on the United Nations Convention on the International Sales of Goods*; an e-book containing the text of the Convention, as corrected by the depositary, and a revised explanatory note; a booklet containing the text of the *UNCITRAL Practice Guide on Cross-Border Insolvency Cooperation*;[9] an e-book containing records of the proceedings of the UNCITRAL Congress entitled "Modern law for global commerce", held during the fortieth session of UNCITRAL (Vienna, 9-12 July 2007); a collection of UNCITRAL legal texts on CD-ROM; an annual report on the status of the adoption of UNCITRAL treaties and model laws (A/CN.9/723) and an UNCITRAL bibliography (A/CN.9/722). All documents are also available electronically from the UNCITRAL website.

Dissemination

38. The UNCITRAL website provides information on its texts and its ongoing work, as well as on case law on UNCITRAL texts, archival and research materials and other information relating to international trade law.

[9] United Nations publication, Sales No. E.10.V.6.

4. Treaty Section

Activities

39. The Treaty Section organized two training seminars at United Nations Headquarters, in December 2010 and April 2011,[10] on the registration of treaties and on depositary practice of the Secretary-General. The Section also participated in a training course held in Jakarta in October 2010 and organized by the Ministry of Foreign Affairs of Indonesia, the Asian-African Legal Consultative Organization, the Office of the United Nations High Commissioner for Human Rights and the United Nations Office on Drugs and Crime for participants from States members of the African-Asian Legal Consultative Organization. "Treaty event 2011: towards universal participation and implementation" was held from 20 to 22 September and from 26 to 27 September 2011 at United Nations Headquarters.

Publications

40. The following publications have been prepared since the previous report:

(a) *United Nations Treaty Series*: 61 volumes have been submitted for publication pursuant to Article 102 of the Charter of the United Nations;

(b) *Treaty Series Cumulative Index*: the forty-fourth issue in English and French has been made available in hard copy and electronically on the United Nations Treaty Collection website;[11]

(c) *Monthly Statement of Treaties and International Agreements*: issues of this publication have continued to be published pursuant to article 13 of the Regulations to give effect to Article 102 of the Charter of the United Nations;

(d) The 2010 and 2011 treaty event publications have been printed in English and French, with electronic versions made available on the website of the Treaty Section.

Dissemination

41. The United Nations Treaty Collection website was further upgraded to offer various opportunities for legal research, through the integration of a broad range of search and retrieval tools. Information on published volumes of the *United Nations Treaty Series*, subsequent treaty actions and the issuance of related publications was disseminated on the website and through e-mail. In addition, the treaty database entitled "Status of multilateral treaties deposited with the Secretary-General", including its online version, was updated daily and made available to view and/or download from the website as web pages and documents in PDF format. The Treaty Section website also provides information on training seminars, the annual treaty event and any special events, as well as electronic versions of its publications.

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[10] The April 2011 training seminar was organized in collaboration with the United Nations Institute for Training and Research.

[11] See http://treaties.un.org.

5. Distribution of United Nations legal publications

42. Pursuant to paragraph 64 of the report of the Secretary-General on the Programme of Assistance submitted during the sixty-fourth session of the General Assembly (A/64/495) and paragraph 1 of Assembly resolution 65/25, reiterating authorization for its implementation, copies of United Nations legal publications issued during 2011 have been provided to the institutions in developing countries that have been receiving such publications under the Programme and to other institutions in a number of countries, in particular developing countries, for which requests for such publications have been made by the Member States concerned. In addition, William S. Hein and Company donated a set of the *Yearbooks of the International Law Commission* to the library of the African Union.

B. United Nations Office at Geneva

43. The International Law Seminar is considered under the agenda item relating to the International Law Commission. Relevant information is contained in the report of the International Law Commission (A/66/10).

III. Guidelines and recommendations regarding the execution of the Programme of Assistance in the biennium 2012-2013

44. The paragraphs below contain the recommendations requested by the General Assembly in paragraph 22 of its resolution 65/25. In formulating guidelines and recommendations, account has been taken of the fact that, in recent years, the Assembly has not provided for new budgetary resources for the Programme, instead financing such activities from the existing overall levels of appropriations and voluntary contributions.

45. The Office of Legal Affairs will continue its current activities under the Programme to the extent possible with the resources available.

46. The Office of Legal Affairs will continue to select and assign interns, externs and research assistants to participate in the work of its divisions, taking into account the needs of the Office and the qualifications of candidates, with due regard to geographical and gender representation.

47. The Codification Division is expected to perform the various functions described in the present report, depending on the level of the resources available.

48. *International Law Fellowship Programme*: 20 fellowships should continue to be awarded each year under the United Nations regular budget. Additional fellowships may be awarded from the trust fund of the Programme of Assistance, depending on the amount of voluntary contributions received each year. The Programme should also be open to a limited number of self-funded participants. The Codification Division will continue to perform all tasks relating to the organization and administration of the Fellowship Programme as long as it has the necessary resources.

49. Guidelines contained in the relevant General Assembly resolutions should be followed, in particular regarding the desirability of using, as far as possible, the resources (financial and in kind) and facilities made available by Member States,

academic institutions, professional associations, philanthropic foundations, interested national and international institutions and organizations and individuals, taking into account the need, in appointing lecturers for the seminars of the International Law Fellowship Programme, to ensure representation of the major legal systems and balance among various geographical regions, bearing in mind financial constraints. Every effort should be made to enhance and maintain the high quality of the lecturers and the seminars.

50. *Regional courses*: the Codification Division will conduct such courses if it has the necessary funding.

51. *Audiovisual Library of International Law*: the Codification Division will maintain and develop the Audiovisual Library of International Law if it has the necessary funding.

52. The Codification Division will continue its desktop publishing programme for the legal publications listed in paragraph 30 (a), (b), (e), (f) and (h) of the present report, as well as training materials, as long as it has the resources to do so.

53. The Treaty Section is expected to continue its technical assistance on the registration of treaties, depositary practice of the Secretary-General and final clauses, within existing resources.

IV. Administrative and financial implications of United Nations participation in the Programme of Assistance

A. During 2011

54. During 2011, the actual cost of producing and supplying publications to institutions in developing countries has fallen under the allocations relating to administrative and common services of the substantive programme budget to which each publication belongs.

55. Concerning the funding provided for the International Law Fellowship Programme, a total of $419,600 was included in the regular budget under section 8 (Legal affairs: grants and contributions) of the programme budget for the biennium 2010-2011.[12]

56. In its resolution 65/25, the General Assembly reiterated its request to Member States and interested organizations and individuals to make voluntary contributions towards the financing of activities under the Programme. Accordingly, on 8 April 2011 a note verbale was sent to Member States drawing their attention to that resolution.

57. In 2011, voluntary contributions were received for the Programme of Assistance from Chile ($10,000), Israel ($5,000) and Panama ($1,500) as well as for specific Programme activities: (a) for the International Law Fellowship Programme, from Cyprus ($2,516); (b) for the regional courses in international law, from New Zealand ($8,399); and (c) for the United Nations Audiovisual Library of International Law, from Austria ($7,270), the Czech Republic ($938), Norway

[12] This constituted a reduction from the final appropriation of funds allocated for this purpose for the previous biennium ($446,600).

($35,676) and Thailand ($3,000).[13] In addition, a pledge for contributions to the Audiovisual Library was received from Mexico ($5,000).

B. During 2012-2013

58. The cost of handling and shipping United Nations legal publications issued in 2012-2013 is covered by the estimates under the relevant sections of the proposed programme budget for the biennium 2012-2013.

59. With regard to the International Law Fellowship Programme, an amount of $420,000 is proposed in the programme budget for the biennium 2012-2013 under section 8 (Legal affairs), assuming that the General Assembly approves the recommendations on those programmes. In contrast to previous years, this amount is not expected to be sufficient to defray the cost of conducting regional courses in international law.

60. The Secretary-General will continue, if the General Assembly so decides, to request voluntary and in-kind contributions to the Programme.

V. Meetings of the Advisory Committee on the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law

A. Membership of the Advisory Committee

61. The General Assembly, by its resolution 62/62, appointed the following 25 Member States as members of the Advisory Committee for the period from 1 January 2008 to 31 December 2011: Canada, Colombia, Cyprus, Czech Republic, Ethiopia, France, Germany, Ghana, Iran (Islamic Republic of), Italy, Jamaica, Kenya, Lebanon, Malaysia, Mexico, Nigeria, Pakistan, Portugal, Russian Federation, Sudan, Trinidad and Tobago, Ukraine, United Republic of Tanzania, United States of America and Uruguay.

62. It is noted that the current membership of the Advisory Committee expires on 31 December 2011 and that members for the period from 1 January 2012 to 31 December 2015 will be appointed by the General Assembly at its sixty-sixth session.

[13] Voluntary contributions were received for the Programme of Assistance in 2010, after the preparation of the previous report of the Secretary-General on this item (A/65/514), from Trinidad and Tobago ($10,000), as well as for specific Programme activities: (a) for the International Law Fellowship Programme, from Ireland ($2,500), and (b) for the United Nations Audiovisual Library of International Law, from Finland ($12,683), Germany ($33,900), Ireland ($5,543), Italy ($5,000), the Netherlands ($50,000), Sweden ($25,000) and Switzerland ($24,975).

B. Consideration of the report of the Secretary-General by the Advisory Committee at its forty-sixth session

63. As part of the preparation of the report requested under resolution 65/25, the Secretary-General prepared a draft report, covering the activities carried out during 2011 under the Programme of Assistance, for consideration by the Advisory Committee.[14]

64. In order to discuss the draft report, the Advisory Committee held its forty-sixth session, on 7 October 2011. At the session, the representatives of the following members of the Committee were present: Canada, Colombia, Cyprus, Czech Republic, Ethiopia, France, Germany, Ghana, Iran (Islamic Republic of), Italy, Kenya, Lebanon, Malaysia, Mexico, Pakistan, Portugal, Russian Federation, Trinidad and Tobago, Ukraine, United Republic of Tanzania, United States of America and Uruguay.

65. The forty-sixth session was chaired by the Permanent Representative of Ghana, Ken Kanda.

66. Virginia Morris, Principal Legal Officer, Codification Division, acted as Secretary of the Advisory Committee; Hanna Dreifeldt Lainé, Legal Officer, Codification Division, acted as Deputy Secretary.

67. Prior to the consideration of the draft report of the Secretary-General (A/AC.117/2011/CRP.1), the Secretary of the Advisory Committee made a statement concerning the recent efforts by the Codification Division to strengthen and revitalize various activities under the Programme, as well as the financial challenges faced by the Programme.

68. During the session, several members of the Advisory Committee expressed their support for the Programme of Assistance, including the revitalization efforts undertaken by the Codification Division in recent years, and stressed its importance in the promotion of international law. There was general concern regarding the limited financial resources available to the Programme. There was support for ensuring the Programme's continuation and further development with adequate resources, in particular the United Nations Audiovisual Library of International Law and the regional courses in international law. The view was expressed that regular budget funding was the only way to ensure the continuation of these activities. Also expressed was the view that all Member States should contribute even a small amount of voluntary contributions to support the activities. In this context, there was support for exploring the possibility of lowering the programme support cost charged to the trust fund for the Programme of Assistance for activities of the Codification Division. There was also support for exploring the possibility of using the revenue generated by the sales of the legal publications prepared by the Codification Division, in particular those referred to in paragraph 52 above, as well as its training materials, to contribute towards the funding of the activities of the Division under the Programme that may not receive adequate resources from the regular budget. With respect to websites, the importance of search engines was emphasized, together with multilingualism.

[14] A/AC.117/2011/CRP.1.

Annex

Internet uniform resource locators for websites cited in the report and maintained by the Office of Legal Affairs

Website	*Uniform resource locator*
Treaty Section	
United Nations Treaty Collection	http://treaties.un.org
Division for Ocean Affairs and the Law of the Sea	
Oceans and the law of the sea	http://www.un.org/Depts/los/index.htm
International Trade Law Division	
United Nations Commission on International Trade Law	http://www.uncitral.org
Codification Division	
Codification of international law	http://www.un.org/law/lindex.htm
Sixth Committee of the General Assembly	http://www.un.org/en/ga/sixth
International Law Commission	http://www.un.org/law/ilc
Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization	http://www.un.org/law/chartercomm
Ad Hoc Committee on criminal accountability of United Nations officials and experts on mission	http://www.un.org/law/criminalaccountability
Ad Hoc Committee on the Administration of Justice at the United Nations	http://www.un.org/law/administrationofjustice
Ad Hoc Committee established by General Assembly resolution 51/210 of 17 December 1996	http://www.un.org/law/terrorism
Ad Hoc Committee on Jurisdictional Immunities of States and Their Property	http://www.un.org/law/jurisdictionalimmunities
Ad Hoc Committee on an International Convention against the Reproductive Cloning of Human Beings	http://www.un.org/law/cloning

Website	*Uniform resource locator*
Ad Hoc Committee on the Scope of Legal Protection under the Convention on the Safety of United Nations and Associated Personnel	http://www.un.org/law/UNsafetyconvention
Rome Statute of the International Criminal Court	http://untreaty.un.org/cod/icc
United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law	http://www.un.org/law/programmeofassistance
International Law Fellowship Programme	http://www.un.org/law/ilfp/
Regional courses in international law	http://www.un.org/law/rcil/
United Nations Audiovisual Library of International Law	http://www.un.org/law/avl
United Nations legal publications portal	http://www.un.org/law/UNlegalpublications
Repertory of Practice of United Nations Organs	http://www.un.org/law/repertory
United Nations Juridical Yearbook	http://www.un.org/law/UNJuridicalYearbook/index.htm
Summaries of Judgments, Advisory Opinions and Orders of the International Court of Justice	http://www.un.org/law/ICJsummaries
Diplomatic conferences (official records of proceedings)	http://untreaty.un.org/cod/diplomaticconferences
United Nations Reports of International Arbitral Awards	http://www.un.org/law/riaa